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1 Feitian to make direct shipments to the customer in
2 California?

3 A. I did not find the documents related to this.

4 Q. Do you know if that's what happened during
5 the relationship with RF Ideas?

6 A. I do not want to answer this question which
7 is an assumption.

8 Q. Well, my question is, do you know? If you
9 know, you can say yes or no.

10 A. Would you please repeat your question?

11 Q. Do you know whether or not during the time RF
12 Ideas acted as a distributor for Feitian if it ever
13 requested that Feitian ship product directly to a
14 customer in California?

15 A. I did not find the documents related to this.

16 Q. Let's go back to the invoices that you -- the
17 other invoice that you sent. It's dated November 16,
18 2005. Well, before we get off ICRCO, has Feitian made
19 any other sales to ICRCO other than these, the purchase
20 order and -- the two purchase orders and invoices that
21 you provided?

22 INTERPRETER # 3: Are you away from the
23 telephone now?

24 MS. O'LAUGHLIN: Sorry. Let me repeat.

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1 BY MS. O'LAUGHLIN:

2 Q. Has Feitian done any other business with
3 ICRCO other than the two purchase orders and invoices
4 that you have provided?

5 A. I did not find the record.

6 Q. Okay. You also provided an invoice that's
7 dated November 16, 2005, concerning company Nuveon
8 located in Sunnyvale, California. Do you have that
9 invoice in front of you?

10 INTERPRETER # 3: What is the company
11 name?

12 MS. O'LAUGHLIN: N-U-V-E-O-N, Nuveon.

13 INTERPRETER # 3: N-U-V-E-O-N. Okay.

14 THE WITNESS: Yes.

15 BY MS. O'LAUGHLIN:

16 Q. Okay. And for the record, that's Bates
17 stamped FT 00059. That invoice was created by Feitian;
18 is that correct?

19 A. Yes.

20 Q. And do you know how Nuveon became a customer
21 of Feitian?

22 A. Nuveon contacted us.

23 Q. Do you know how Nuveon found out about
24 Feitian?

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1 A. I do not know.

2 Q. Did you ask?

3 A. Yes.

4 Q. Okay. Who told you that Nuveon contacted

5 Feitian?

6 A. Liu Hui. It's Liu Hui.

7 Q. Okay. When did Mr. Liu excuse me -- did

8 Nuveon contact Mr. Liu, or did he just tell you that

9 they, that Nuveon contacted Feitian -- let me ask it a

10 better way. I'm sorry.

11 Who did Nuveon contact at Feitian?

12 A. I do not have the information to answer your

13 question.

14 Q. Okay. The invoice refers to a PO number 001.

15 Did you look -- do you have that PO, purchase order?

16 A. It's the purchase order from Nuveon.

17 Q. Yes. Does Feitian have that?

18 A. I have PO 001.

19 Q. Okay. You do have it because -- did you send

20 that to your attorney?

21 A. This is -- do you ask me whether I send the

22 invoice to my lawyer?

23 Q. No. I'm asking whether you sent the purchase

24 order.

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1 A. No, because my company has invoice on hand.

2 Q. The other purchase order -- there's another

3 purchase order that you sent for Polywell Computers.

4 It's purchase order number 48423 Bates stamped number

5 FT 00060. Do you have that purchase order in front of

6 you, Mr. Li?

7 INTERPRETER # 3: Is the number is 4843?

8 MS. O'LAUGHLIN: 48423.

9 INTERPRETER # 3: 48423. And it's from

10 Poly?

11 MS. O'LAUGHLIN: Polywell,

12 P-O-L-Y-W-E-L-L, Computers, Inc.

13 INTERPRETER # 3: P-O-L-Y-W-E-L-L,

14 Computer, Inc.

15 MS. O'LAUGHLIN: Right. South San

16 Francisco, California.

17 INTERPRETER # 3: South San Francisco.

18 THE WITNESS: Yes.

19 BY MS. O'LAUGHLIN:

20 Q. Okay. Do you know how Polywell came to be a

21 customer of Feitian?

22 A. They contacted us.

23 Q. Do you know how they found out about Feitian?

24 A. I do not have that information.

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1 Q. Who told you they contacted Feitian?

2 A. Liu Hui.

3 Q. And Feitian generated two invoices for sales
4 to Polywell Computers; is that correct; invoice dated
5 January 26, 2006 Bates stamped FT 00061 and the invoice
6 dated February 22, 2006 Bates stamped FT 00062?

7 A. Yes.

8 Q. Okay. Is Polywell Computers still a customer
9 of Feitian?

10 INTERPRETER # 3: Can you ask him to --
11 I cannot hear him very well.

12 BY MS. O'LAUGHLIN:

13 Q. From what I have, after the two invoices
14 Polywell did not buy anything from Feitian anymore.
15 What about -- well, strike that.

16 If you could look at an e-mail to Larry Doyle
17 and from Larry Doyle that was produced. Do you have
18 that in front of you?

19 INTERPRETER # 3: How do you spell that?

20 MS. O'LAUGHLIN: D-O-Y-L-E.

21 THE WITNESS: Yes.

22 BY MS. O'LAUGHLIN:

23 Q. Okay. And that was Bates stamped number FT
24 000363, and Mr. Doyle is located in San Francisco,

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1 California. Do you know how Mr. Doyle came to find
2 Feitian?

3 A. Mr. Doyle contacted us.

4 Q. Who's Michael Liu?

5 A. That's the English name of Liu Hui.

6 Q. Okay. Did Feitian sell any products to
7 Mr. Doyle or his company, Cyberain Design, Inc.?

8 INTERPRETER # 3: What's the company
9 name?

10 MS. O'LAUGHLIN: Cyberain,
11 C-Y-B-E-R-A-I-N, Design.

12 THE WITNESS: No.

13 BY MS. O'LAUGHLIN:

14 Q. Okay. So Liu Hui speaks English?

15 INTERPRETER # 3: That's Liu Hui?

16 BY MS. O'LAUGHLIN:

17 Q. Sorry. Hui Liu, Michael Liu speaks English?

18 A. Yes.

19 Q. And he reads English and writes English?

20 A. Yes.

21 Q. And Mr. Liu is the one who told you that you
22 would be the designee for Feitian for this deposition?

23 INTERPRETER # 3: Would you please
24 repeat your question?

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1 BY MS. O'LAUGHLIN:

2 Q. Mr. Liu is the one who told you, Mr. Li, that
3 you would be the Feitian designated witness for this
4 deposition, right?

5 MR. REEVES: I object to that question
6 as being vague.

7 MS. O'LAUGHLIN: Okay. I don't see how
8 it's vague, Matt, but let's go back to the --

9 MR. REEVES: My question is, are you
10 saying that Mr. Liu designated Mr. Li?

11 MS. O'LAUGHLIN: What he --

12 MR. REEVES: Is that what you remember
13 or --

14 MS. O'LAUGHLIN: Yes.

15 MR. REEVES: Or are you just saying that
16 Mr. Liu told him that this deposition would
17 be occurring because Mr. Li does not speak
18 English? What's your question?

19 BY MS. O'LAUGHLIN:

20 Q. Okay. My question is -- well, if you look
21 back at his prior testimony, Mr. Li's prior testimony,
22 when I asked him how he came to be the designated
23 witness for Feitian, he told me that Mr. Liu told him
24 that he was the designated witness.

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1 MR. REEVES: Okay. Then I -- maybe you
2 can rephrase to something like did Mr. Liu
3 designate you or something like that? I
4 don't know. I just think it's going to be
5 confusing to him. Your question goes to who
6 had the authority to tell who, what, and it
7 can also be interpreted if you don't speak
8 Chinese I'm letting somebody who speaks
9 English kind of interpret for you, but go
10 ahead and ask your question.

11 BY MS. O'LAUGHLIN:

12 Q. Mr. Li, did Mr. Hui tell you that you were
13 going to be the designated witness for Feitian at this
14 deposition?

15 A. It's determined that by the corporation.

16 Q. Do you know who -- at your last deposition,
17 Mr. Li --

18 INTERPRETER # 3: Excuse me. Mr. Li
19 said something which I did not hear very
20 well.

21 Mr. Li asks when we can have a break for
22 ten minutes.

23 MS. O'LAUGHLIN: Does he need to take a
24 break now? Is he asking for a break now?

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1 THE WITNESS: Yes, I would like to go to
2 the restroom.

3 MS. O'LAUGHLIN: Okay. Just don't
4 disconnect anyone. We'll just come back
5 in -- do you need ten minutes or --

6 THE WITNESS: Yes, ten minutes.

7 MS. O'LAUGHLIN: Okay.

8 INTERPRETER # 3: Yeah. All right. I
9 will not hang up. I will not. I will be
10 back too.

11 MS. O'LAUGHLIN: Okay. Tell Mr. Li not
12 to hang up either.

13 THE WITNESS: If I hang up, can you call
14 me ten minutes later?

15 MS. O'LAUGHLIN: No. Just don't hang
16 up. Just stay on the line. Just keep the
17 line open.

18 THE WITNESS: Okay. Okay.

19 (At this time, a brief recess was
20 taken.)

21 INTERPRETER # 3: This is the
22 interpreter. I'm back.

23 MS. O'LAUGHLIN: Mr. Li? Mr. Li?

24 INTERPRETER # 3: Yes. Okay. Mr. Li is

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1 back.

2 BY MS. O'LAUGHLIN:

3 Q. Mr. Li, you testified during the first day of
4 your deposition that Liu Hui was the one who told you
5 that you were going to testify as the designated
6 witness for Feitian?

7 MR. REEVES: Wait a minute. Sorry. I
8 didn't get the question. Can you repeat it?

9 MS. O'LAUGHLIN: Yes.

10 BY MS. O'LAUGHLIN:

11 Q. Mr. Li, during the first day of your
12 deposition you testified that Mr. Liu was the one who
13 told you that you would be the designated witness for
14 Feitian at this deposition. Do you know who made the
15 decision that you would be the one to testify as the
16 designated witness?

17 A. The corporation.

18 Q. Who at the corporation?

19 A. It was discussed at the -- determined by the
20 board of directors.

21 Q. Who is on the board of directors?

22 A. The directors of the corporation.

23 Q. What are the names of the directors of the
24 corporation?

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- 1 A. It has nothing to do with this.
- 2 Q. Are you refusing to answer?
- 3 A. Correct.
- 4 Q. Did you talk to anyone other than Mr. Liu to
- 5 prepare for your testimony?
- 6 A. Other departments.
- 7 Q. Who?
- 8 A. Marketing.
- 9 Q. Who in marketing?
- 10 A. Wang Yao.
- 11 Q. How do you spell that?
- 12 A. Wang, W-A-N-G; Yao, Y-A-O.
- 13 Q. What is Wang Yao's position in the marketing
- 14 department?
- 15 A. The deputy manager.
- 16 Q. What information did you ask Wang Yao for
- 17 today's deposition?
- 18 A. Information relating to marketing.
- 19 Q. Could you be more specific?
- 20 A. I ask for information relating both to
- 21 Delaware and California.
- 22 Q. Did you get any information?
- 23 A. Yes.
- 24 Q. What information did you get?

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1 A. 2006 RSA meeting information.

2 Q. Anything else?

3 A. I cannot hear.

4 The information related to this case was what
5 I just told you.

6 Q. I don't understand your answer. Do you mean
7 that the only thing you got from Wang Yao was the
8 information about the 2006 RSA Conference?

9 A. Yes.

10 Q. Did you ask whether there was any advertising
11 directed to California or Delaware by Feitian?

12 A. I ask.

13 Q. And what were you told?

14 A. He did not find any information related to
15 this.

16 Q. Mr. Li, you said you asked. What were you
17 told when you -- who did you ask and what were you told
18 about advertising directed towards Delaware and
19 California?

20 A. I asked for Wang Yao, and he didn't answer
21 the second question. He said that he did not find the
22 information.

23 Q. Okay. What other departments did you talk to
24 to prepare for the deposition?

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1 A. No, no other departments.

2 Q. Does Wang Yao speak English?

3 A. No.

4 Q. Okay. Other than the purchase orders and
5 invoices that we've gone over tonight -- or today, are
6 there any other purchase orders or invoices that you
7 found concerning sales by Feitian to California?

8 A. No.

9 Q. Do you know whether or not Feitian has made
10 any sales to Delaware before 2006?

11 A. Only information I have I have turned over to
12 my lawyer.

13 Q. Okay. Did you ask Mr. Liu to check his
14 e-mails to see if there was any communication from
15 Mr. Liu to anyone in California or from anyone in
16 California to Mr. Liu?

17 A. I have asked.

18 Q. And did he give you any e-mails other than
19 that one that we already discussed from and to Larry
20 Doyle?

21 A. He did not found any others.

22 Q. Who is Rachel Liu?

23 INTERPRETER # 3: I did not hear. Are
24 you asking Rachel Liu's Chinese name?

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1 MS. O'LAUGHLIN: No. I'm asking if he
2 knows what -- do you know a Rachel Liu who is
3 the sales and marketing manager of Feitian?

4 THE WITNESS: Yes.

5 BY MS. O'LAUGHLIN:

6 Q. Okay. Is Ms. Liu still employed by Feitian?

7 INTERPRETER # 3: I cannot hear him.

8 THE WITNESS: She quit.

9 BY MS. O'LAUGHLIN:

10 Q. Okay. Did you ask anyone to check through
11 her records to see if she had any communications to
12 California or Delaware?

13 A. Yes.

14 Q. Who did you ask to look through her e-mails?

15 A. Liu Hui.

16 Q. Okay. And did he find -- well, are all of
17 Ms. Rachel Liu's e-mails still at Feitian?

18 A. After her computer was examined, then the
19 computer was given to someone else to use.

20 Q. When was her computer examined?

21 A. When he left the corporation -- I'm sorry.
22 When she left the corporation.

23 Q. When did she leave the corporation?

24 A. It was last year.

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1 Q. Okay. So I'm trying to understand when you
2 said that you asked someone to review her e-mails, are
3 her e-mails still in the computers at Feitian?

4 A. We review that information. If we found that
5 information is useful, then we copied it and then keep
6 it, then we give her computer to someone else for use.

7 Q. So when you said that you -- testified that
8 you asked Mr. Liu to look through Rachel Liu's e-mails,
9 what e-mails -- were those e-mails that were on the
10 computer or e-mails that you had already printed out
11 and just kept in some record?

12 A. The information was not printed out. It was
13 transferred to Liu Hui's computer.

14 Q. So do you know whether or not -- so if
15 Ms. Liu's information -- was all of the information on
16 her computer was transferred to Mr. Liu's computer?

17 INTERPRETER # 3: I have to ask him to
18 repeat.

19 THE WITNESS: When the computer was
20 examined, if there's any information which is
21 useful, then that piece of information was
22 transferred to Liu Hui's computer.

23 BY MS. O'LAUGHLIN:

24 Q. Ms. Rachel Liu could have had communication

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1 with California in e-mails and those e-mails were not
2 transferred to Mr. Liu; is that correct?

3 MR. REEVES: Objection. It calls for
4 speculation.

5 MS. O'LAUGHLIN: Let me ask him this.

6 BY MS. O'LAUGHLIN:

7 Q. Am I correct that not all of Ms. Liu's
8 e-mails to people in the United States were transferred
9 to Mr. Liu's computer?

10 A. Whatever we thought are useful have been
11 transferred.

12 Q. Okay. Do you know Cecile Stadler,
13 S-T-A-D-L-E-R?

14 INTERPRETER # 3: S-T-A-D?

15 MS. O'LAUGHLIN: L-E-R.

16 INTERPRETER # 3: L-E-R?

17 MS. O'LAUGHLIN: Yes.

18 INTERPRETER # 3: What's the question,
19 please?

20 BY MS. O'LAUGHLIN:

21 Q. Do you know Cecile Stadler; who she is?

22 A. Yes.

23 Q. Okay. And who is she?

24 A. She is a department manager.

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1 Q. For what department?

2 A. International sales department.

3 Q. And that would include sales to the United
4 States; is that correct?

5 A. Yes.

6 Q. Okay. And is Ms. Stadler still an employee
7 of Feitian?

8 A. No. She left the corporation.

9 Q. When?

10 A. 2005.

11 Q. And do you know who May Wang is?

12 A. Yes.

13 Q. Who is she?

14 A. She used to be a sales manager.

15 Q. And is she with the -- in fact, she was the
16 sales manager? She was in charge of sales for the U.S.
17 market; isn't that true?

18 A. She was still her trial period and they did
19 not wait until to finish the trial period and she left
20 the corporation.

21 Q. That's not my question. My question was,
22 when Ms. Wang was at Feitian, she was the sales manager
23 responsible for the U.S. market; is that correct?

24 A. Her position was assistant to Rachel Liu.

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1 Q. Okay. And Rachel Liu was responsible for the
2 U.S. market?

3 A. Yes.

4 Q. And how long did Ms. Wang work at Feitian?

5 A. Several months, for a couple months.

6 Q. Do you know John O'Mara -- do you remember
7 when she left Feitian?

8 A. In year 2005.

9 Q. Okay. Do you know John O'Mara?

10 A. Yes.

11 Q. Okay. And who is Mr. O'Mara?

12 A. He used to be the manager of international
13 sales.

14 Q. Okay. And is he still at Feitian?

15 A. No.

16 Q. When did he leave?

17 A. In year 2004. Did you ask when Mr. O'Mara
18 left the corporation?

19 Q. Yes. Yes.

20 A. I think it's in year 2004.

21 Q. Okay. To prepare for the responses of
22 Feitian to Aladdin's questions about jurisdictional
23 discovery, did you review or did you ask anyone to look
24 through the records to see if there were any records

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1 from Cecile Stadler, John O'Mara, May Wang, or Rachel
2 Liu concerning communications to or from California or
3 Delaware and Feitian?

4 A. After they left the corporation their
5 computers were given to other people to use.

6 Q. My question was, did anyone -- did you ask or
7 did you review any of the information that's on their
8 computers in order to help prepare responses to
9 jurisdictional discovery requests in this case?

10 A. Their computer had already been used by other
11 people and have been formatted.

12 Q. Have been what?

13 INTERPRETER # 3: In his word, in his
14 word, he said it's formatted.

15 BY MS. O'LAUGHLIN:

16 Q. By formatted do you mean erased or what -- do
17 you mean that the information that was contained on the
18 computer when it was used by these people it was
19 erased?

20 A. It was like what I said earlier. We looked
21 at the computer and we copied the information which we
22 thought would be useful.

23 Q. And you copied that and put it on Mr. Liu's
24 computer?

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1 A. The information in May Wang's computer was
2 copied to Rachel Liu's computer.

3 Q. Okay. And then was the information from
4 Rachel Liu's computer copied to Hui Liu's computer?

5 A. Yes.

6 Q. Okay. Do you know Wang Dong?

7 A. Yes.

8 Q. And who is he?

9 A. He was sales manager.

10 Q. Sales manager. Was he also involved and
11 responsible for sales in the U.S. market?

12 A. No. He is responsible for other areas.

13 Q. Is he still with Feitian?

14 A. No.

15 INTERPRETER # 3: This is interpreter
16 asking. Unless he specifically saying -- we
17 don't have the present tense -- so when I
18 said it, that's really not meaning you
19 answered the right question. He said he's no
20 longer with Feitian.

21 BY MS. O'LAUGHLIN:

22 Q. And Wang Dong, just so we're clear -- it's
23 W-A-N-G, D-O-N-G, in case I'm mispronouncing it -- is
24 Wang Dong still employed by Feitian?

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1 INTERPRETER # 3: He answer he left the
2 corporation.

3 BY MS. O'LAUGHLIN:

4 Q. He left the corporation?

5 A. He is no longer with the corporation.

6 Q. When did he leave?

7 A. In year 2005.

8 Q. And what did he do at Feitian?

9 A. Sales manager.

10 Q. Did he speak English and write English?

11 A. Yes.

12 Q. Did anyone in order to respond to any of the
13 jurisdictional discovery requests in this case review
14 any of Mr. Dong's records including his computer
15 records?

16 A. Since Wang Dong was not responsible for the
17 markets, he had nothing to do with this case.

18 Q. Okay. So the answer is no, you didn't check
19 Mr. Dong's records or his computer?

20 A. Because he left the corporation so his
21 computer was also used by other people.

22 Q. Wasn't Mr. Dong's title international sales
23 and marketing manager?

24 A. Yes.

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1 Q. And doesn't international sales include sales
2 in the United States?

3 A. He was not responsible for sales to U.S.
4 market.

5 Q. My question is, doesn't international sales
6 include sales to the U.S. market?

7 A. However, inside that department everyone
8 has -- everyone is responsible for a different area.
9 It was sales different area.

10 Q. So is it your testimony that Mr. Dong had
11 nothing to do with any sales in the United States?

12 A. He might have helped other people for those
13 two U.S. market.

14 Q. Were any of Mr. Dong's records transferred to
15 Mr. Liu's computer?

16 A. If there's any information relating to sales
17 to U.S. markets, that information would have been
18 transferred to Ms. Hui's computer.

19 Q. I misunderstood your earlier testimony then,
20 Mr. Li. Are you saying that any information concerning
21 the U.S. sales from any other computers was transferred
22 to Mr. Liu's computer?

23 A. Whose information you are talking about?

24 Q. Mr. Dong's information.

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1 A. Yes.

2 Q. Okay. And was all the information from John
3 O'Mara's computer transferred to Mr. Liu's computer
4 concerning U.S. sales or communications with the U.S.?

5 A. No.

6 Q. What about Ms. Stadler?

7 MR. REEVES: Wait a minute. Wait a
8 minute. I'm going to object to this line of
9 questioning to the extent it seeks
10 information about U.S. sales. To the extent
11 the question is limited to sales related to
12 California and Delaware, that's okay.
13 Otherwise, I object.

14 BY MS. O'LAUGHLIN:

15 Q. You can answer, Mr. Li.

16 A. It's in my computer.

17 Q. So all of Ms. Stadler's e-mails and
18 communications with the United States are in your
19 computer?

20 MR. REEVES: Again, I object to the
21 extent the question seeks information to the
22 United States as a whole and is not limited
23 to California or Delaware.

24 BY MS. O'LAUGHLIN:

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1 Q. You can answer, Mr. Li.

2 A. The information which we thought was useful
3 is in my computer.

4 Q. Okay. And did you review that information in
5 providing responses to the jurisdictional discovery
6 requests and in preparing for your deposition?

7 A. Yes.

8 Q. Did you find any information, any
9 communication between Ms. Stadler and anyone in
10 California or from anyone in California to Ms. Stadler?

11 A. No, I did not find.

12 Q. Let's talk about the RSA Conference in 2006.
13 Feitian representatives or employees of Feitian
14 attended that conference; is that correct?

15 INTERPRETER # 3: Would you please
16 repeat the question? I didn't get it.

17 MS. O'LAUGHLIN: Yes.

18 BY MS. O'LAUGHLIN:

19 Q. Representatives of Feitian attended the 2006
20 RSA Conference; is that correct?

21 A. Yes.

22 Q. Okay. Who attended the RSA Conference in
23 2006 from Feitian?

24 A. Liu Hui.

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1 Q. Anyone else?

2 A. The person sent by the corporation was Liu
3 Hui.

4 Q. Did anyone else from Feitian attend?

5 A. I do not know whether Liu Hui also ask other
6 people from Feitian to help him with those meeting. I
7 have to find out.

8 Q. If you could look at the documents that you
9 sent to your attorney, there's an RSA Conference 2006
10 Exhibitor Contract. Do you see that?

11 A. Yes, we have the information. Okay. We have
12 the form, yes.

13 Q. For the record, that document is Bates FT
14 0054. The contract is signed by Michael Liu and the
15 name on it is Michael Liu. That's, again, Hui Liu; is
16 that correct?

17 A. Yes.

18 Q. The contract indicates that Feitian was
19 getting a booth and paying a booth fee of \$5995 for the
20 booth?

21 INTERPRETER # 3: \$5090?

22 MS. O'LAUGHLIN: \$5995.

23 INTERPRETER # 3: \$5995 for a booth?

24 MS. O'LAUGHLIN: Yes.

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1 INTERPRETER # 3: Have you finished your
2 question?

3 MS. O'LAUGHLIN: No.

4 BY MS. O'LAUGHLIN:

5 Q. Did Feitian pay that booth fee that's
6 indicated in the Exhibitor Contract?

7 A. Yes, it was paid.

8 Q. Okay. And it was paid with a Visa card and
9 the name on the Visa card was Huang Yu?

10 INTERPRETER # 3: What's the name?

11 MS. O'LAUGHLIN: It's H-U-A-N-G and then
12 Y-U.

13 THE WITNESS: An employee of our
14 company.

15 BY MS. O'LAUGHLIN:

16 Q. What's his position at the company?

17 A. Manager.

18 Q. Manager in what department?

19 A. It has nothing to do with this.

20 Q. Are you refusing to answer, Mr. Li?

21 MR. REEVES: I object. That's not what
22 he said.

23 MS. O'LAUGHLIN: He said -- I asked him
24 a question and he says it has nothing to do

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1 with this. My follow-up question is, are you
2 refusing to answer. If he doesn't
3 understand, I will ask the question again.

4 MR. REEVES: Let's go back. You asked
5 him who was Huang Yu, right?

6 MS. O'LAUGHLIN: Yes, and he said
7 manager.

8 MR. REEVES: He said manager.

9 MS. O'LAUGHLIN: Then I had said
10 something of what department, and he said it
11 has nothing to do with this and --

12 MR. REEVES: I didn't hear that answer.
13 Ask him the question again. Manager in what
14 department?

15 BY MS. O'LAUGHLIN:

16 Q. Mr. Li, in what department is Huang Yu a
17 manager?

18 A. A manager of the corporation.

19 Q. In what department?

20 MR. REEVES: I'll object to the
21 relevance to the question anyway.

22 BY MS. O'LAUGHLIN:

23 Q. You can answer, Mr. Li.

24 INTERPRETER # 3: This is the

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1 interpreter. Mr. Li would like me to
2 translate his lawyer's statement, but I did
3 not hear the statement of his lawyer. Would
4 you --

5 MR. REEVES: I object to the question as
6 to manager of what department as being
7 irrelevant.

8 MS. O'LAUGHLIN: Relevancy is not a
9 proper objection at this deposition.

10 MR. REEVES: I disagree with that. I
11 think relevancy is a proper objection at any
12 deposition.

13 MS. O'LAUGHLIN: Well, that's not true
14 under the Federal rules, and also this
15 Exhibitor Contract was signed. There's an
16 authorized signature of Huang Yu. It's for a
17 conference held in San Jose, California, and
18 I think it is totally relevant for me to ask
19 who Huang Yu is and what department he's in.

20 MR. REEVES: Well, you've asked. He's
21 answered. He said he's an employee, and now
22 he's told you his title is he's some kind of
23 manager of the company, and you continue to
24 ask questions about Mr. Huang. I think the

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1 questions aren't relevant anymore, and I
2 object to them.

3 MS. O'LAUGHLIN: Okay. You object to
4 them. Are you instructing him not to answer?

5 MR. REEVES: No, I'm not instructing him
6 not to answer, but I'm putting my objection
7 on the record.

8 BY MS. O'LAUGHLIN:

9 Q. Mr. Li, please answer the question.

10 A. We borrowed his Visa card to make the
11 payment. His position has nothing to do with this.

12 Q. Is he involved in international sales?

13 A. No, no relationship.

14 Q. The brochures that were produced to us, the
15 BioPass 3000 and the ePass Security Token, were those
16 brochures handed out at the RSA 2006 conference by
17 Feitian?

18 INTERPRETER # 3: This is the
19 interpreter. May I know the brochure, what
20 are the products? Would you please --

21 MS. O'LAUGHLIN: The first brochure is
22 called BioPass 3000, and it was Bates stamped
23 FT 0008 and 0009, and the other is ePass
24 Security Token Bates stamped FT 00010 through

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1 20.

2 INTERPRETER # 3: Okay. One is ePass
3 Security Token. The other one is?

4 MS. O'LAUGHLIN: BioPass 3000.

5 INTERPRETER # 3: BioPass?

6 MS. O'LAUGHLIN: B-I-O, P-A-S-S 3000.

7 INTERPRETER # 3: BioPass 3000.

8 THE WITNESS: Okay. The brochure
9 relating to ePass Security Token was not
10 distributed.

11 BY MS. O'LAUGHLIN:

12 Q. Was the ePass Security Token brochure
13 distributed at any prior RSA Conference?

14 A. From the information we have today I did not
15 find the brochure was distributed to California or to
16 Delaware.

17 Q. Okay. Which brochure are you talking about,
18 the ePass Security Token brochure?

19 A. Yes.

20 Q. Okay. But the BioPass brochure was
21 distributed at the RSA Conference in 2006; is that
22 correct?

23 A. Yes.

24 Q. Okay. And if in answers to written discovery

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1 requests Feitian said that the ePass brochure was
2 distributed at an RSA Conference, is that incorrect or
3 correct to your knowledge?

4 INTERPRETER # 3: Would you please
5 repeat the question for the interpreter?

6 BY MS. O'LAUGHLIN:

7 Q. Yes. Mr. Li, if in answers to written
8 discovery requests in this case it was indicated that
9 the ePass brochure was distributed at an RSA
10 Conference, is that incorrect information?

11 A. What do you mean by the written requests?

12 Q. Okay. There were written requests sent to
13 Feitian called Interrogatories and Requests for
14 Admissions.

15 MR. REEVES: And let me object to the
16 question to the extent it misrepresents the
17 interrogatory answer.

18 BY MS. O'LAUGHLIN:

19 Q. Mr. Li, are you aware of any brochures or
20 other informations that was handed out by Feitian at
21 any RSA Conference it attended?

22 A. I do not know.

23 Q. Okay.

24 A. I'm not certain.

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1 Q. Pardon?

2 A. I'm not certain.

3 Q. Okay. Did you in preparing for the
4 deposition get any information about Feitian's
5 participation in the RSA Conference in California in
6 the years other than 2006?

7 A. I did not find.

8 MR. REEVES: Translator, could you
9 repeat that answer? I did not hear it.

10 INTERPRETER # 3: Yeah.

11 MS. O'LAUGHLIN: We didn't understand
12 that, your last interpretation. What did you
13 say?

14 THE INTERPRETER: Okay. Mr. Li said, I
15 did not find the information.

16 BY MS. O'LAUGHLIN:

17 Q. Okay. Mr. Li, that's not my question. My
18 question is, in preparing for the deposition, did you
19 ask for any information about Feitian's attendance at
20 any RSA Conference in California other than the
21 attendance in the year 2006?

22 A. Yes, I have asked.

23 Q. And do you know whether or not -- what did
24 you find out about Feitian's attendance at the RSA

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1 Conference in California in years other than 2006?

2 A. I found out that Feitian attended RSA
3 meetings in 2003 and 2005.

4 Q. And what about 2004?

5 A. Feitian did not attend in 2004.

6 Q. Okay. What was the purpose for Feitian
7 attending the RSA Conferences in California in the
8 year -- all those years?

9 INTERPRETER # 3: In other years?

10 BY MS. O'LAUGHLIN:

11 Q. In those years.

12 A. It's for the exchange of technology.

13 Q. Why did Feitian distribute brochures about
14 its products at the RSA Conferences?

15 A. For the others to understand our technology.

16 Q. Did Feitian hope to generate sales as a
17 result of its attendance at the RSA Conferences in
18 California?

19 A. No.

20 Q. So it was not -- your testimony is it was not
21 Feitian's purpose or hope to generate any revenue from
22 sales in the United States or in California as a result
23 of its attending the RSA Conferences; that the only
24 purpose was for attending these to understand Feitian's

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1 products?

2 A. That's right.

3 Q. Did Feitian keep a -- did Feitian get a booth
4 at the RSA Conference in any year other than in 2006?

5 INTERPRETER # 3: A what?

6 MS. O'LAUGHLIN: A booth.

7 THE WITNESS: Yes.

8 BY MS. O'LAUGHLIN:

9 Q. What years?

10 A. 2005 and 2003.

11 Q. Did Feitian sign a contract for the purchase
12 or leasing of those booths in 2003 and 2005?

13 A. I don't know.

14 Q. Do you know what the cost of the booths in
15 2003 and 2005 was for Feitian?

16 A. I did not find the information.

17 Q. Do you know who from Feitian attended the RSA
18 Conference in 2003?

19 A. John.

20 Q. I don't understand.

21 A. J-O-H-N, John.

22 Q. John O'Mara?

23 A. Yes.

24 Q. Anyone else?

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1 A. He was the person sent by our corporation.

2 Q. In 2005, who attended the RSA Conference?

3 A. Cecile Stadler.

4 Q. Cecile Stadler?

5 A. Yes.

6 Q. Anyone else from Feitian?

7 A. Rachel Liu.

8 Q. Rick Landow?

9 A. Rachel Liu.

10 Q. Anyone else?

11 A. No.

12 Q. Okay. I'm looking, Mr. Li, at Feitian's
13 responses to Plaintiff's Second Request for Admissions
14 on Jurisdictional Issues, and in response to request
15 for admission number 22 it provides Feitian admits that
16 it attended the RSA Conference in 2005 and that it
17 distributed a brochure about its ePass product at the
18 conference. Is it your testimony that the only reason
19 that Feitian distributed a brochure about its ePass
20 product at the RSA Conference in 2005 was to give out
21 information about its ePass product as opposed to
22 trying to generate sales or revenues resulting from its
23 ePass product?

24 INTERPRETER # 3: This is the

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1 interpreter.

2 MS. O'LAUGHLIN: Yes.

3 INTERPRETER # 3: This is too long.

4 MS. O'LAUGHLIN: Let me break it up.

5 INTERPRETER # 3: Yes, would you please.

6 BY MS. O'LAUGHLIN:

7 Q. Tell him that in response to Plaintiff's
8 Second Request for Admissions on Jurisdictional Issues,
9 Feitian stated that it admitted it attended the RSA
10 Conference in 2005 and that it distributed a brochure
11 about its ePass product at the conference.

12 Is it your testimony that Feitian distributed
13 the brochure about its ePass product not to -- no.
14 Strike that. Sorry.

15 Is it your testimony that the only -- that
16 Feitian did not want to generate any sales of its ePass
17 product by distributing that brochure, but it only
18 wanted to give out information about the product?

19 A. Yes.

20 Q. So is it your testimony that Feitian did not
21 want to make sales of its ePass products to anyone in
22 California?

23 MR. REEVES: Objection. That misstates
24 his testimony.

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1 BY MS. O'LAUGHLIN:

2 Q. Is it your testimony that Feitian did not
3 want to generate sales of its ePass product by passing
4 out those brochures at the RSA conference?

5 MR. REEVES: I'll object to that. He's
6 answered that question twice now.

7 BY MS. O'LAUGHLIN:

8 Q. Did Feitian ever solicit business in
9 California?

10 INTERPRETER # 3: Did Feitian ever?

11 MS. O'LAUGHLIN: Solicit business in
12 California.

13 THE INTERPRETER: Okay.

14 THE WITNESS: No. Our sales was through
15 the distributor.

16 BY MS. O'LAUGHLIN:

17 Q. Did Feitian ever tell its distributor to seek
18 sales in California?

19 A. No, that's the matter of the distributor.

20 Q. The major of the distributor?

21 A. Matter, M-A-T-T-E-R.

22 Q. The matter of the distributor. If Feitian
23 got an inquiry from someone in California about its
24 products, would Feitian then respond to that inquiry?

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1 INTERPRETER # 3: I have to make sure.

2 THE WITNESS: We would turn over the
3 inquiry to the distributor.

4 BY MS. O'LAUGHLIN:

5 Q. Right. And the purpose of turning over the
6 inquiry to the distributor was to have the distributor
7 make a sale to the person inquiring; is that correct?

8 A. That's the distributor's matter.

9 Q. Well, why did Feitian have a distributor if
10 not to sell its products through the distributor?

11 A. I do not understand.

12 Q. I think you do, Mr. Li. My question is, why
13 did Feitian bother to have a U.S. distributor if it
14 didn't -- strike that.

15 Mr. Li, I think that you understood my
16 question, but let me rephrase it for you.

17 MR. REEVES: And I object to that.

18 That's simply arguing with the witness.

19 MS. O'LAUGHLIN: I'm not finished my
20 question.

21 MR. REEVES: Okay.

22 BY MS. O'LAUGHLIN:

23 Q. And I think I deserve a little argument with
24 this witness.

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1 But in any event, what was the purpose of
2 having -- entering into a contract, a distribution
3 agreement with a company to distribute your products in
4 the United States?

5 INTERPRETER # 3: That's your question?

6 MS. O'LAUGHLIN: Yes.

7 THE WITNESS: The purpose is for selling
8 the products.

9 BY MS. O'LAUGHLIN:

10 Q. For selling the products, right, in the
11 United States?

12 A. When there is a customer, whether the product
13 will be sold to the customer or not will be
14 determined by the distributor.

15 Q. Does Feitian still have a distributor in the
16 United States?

17 A. No.

18 Q. Does AZ-Tech Software distribute any of
19 Feitian's products in the United States?

20 INTERPRETER # 3: Which corporation?

21 MS. O'LAUGHLIN: AZ-Tech.

22 INTERPRETER # 3: T-E-C-H. So your
23 question is -- would you please repeat?

24 BY MS. O'LAUGHLIN: